AGENDA

SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION

1333 Main Street, 5th Floor Columbia, South Carolina 29201

August 16, 2010 - 10:30 a.m.

Commission Hearing Room A

BUSINESS MEETING

1.	APPROVAL OF AGENDA OF BUSINESS MEETING OF AUGUST 16, 2010	CHAIRMAN BECK
2.	APPROVAL OF MINUTES OF BUSINESS MEETING OF JULY 19, 2010 (Tab 1)	CHAIRMAN BECK
<i>3</i> .	GENERAL ANNOUNCEMENTS	MR. CANNON
4.	APPLICATIONS FOR APPROVAL TO SELF-INSURE (Tab 2)	MR. SMITH
5.	DEPARTMENT DIRECTORS' REPORTS	
	Administration – Financial Report (Tab 3) Information Services (Tab 4) Insurance & Medical Services (Tab 5) Claims (Tab 6) Judicial (Tab 7)	MS. GANTT MS. HARTMAN MR. McCUTCHEON MR. LINE MS. CROCKER
6.	EXECUTIVE DIRECTOR'S REPORT (Tab 8)	MR. CANNON
7.	OLD BUSINESS A. Hearing Cost Assessment (Tab 9)	CHAIRMAN BECK
8.	NEW BUSINESS A. Hearings Venue – SC Department of Corrections (Tab 10) B. Continuing Education Workshop – Ethics and Administrative Procedures Act (Tab 11)	CHAIRMAN BECK
9.	EXECUTIVE SESSION	CHAIRMAN BECK
10.	ADJOURNMENT	CHAIRMAN BECK

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THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION BUSINESS MEETING

Monday, July 19, 2010

A Business Meeting of the South Carolina Workers' Compensation Commission was held in Hearing Room A of the Workers' Compensation Commission on Monday, July 19, 2010 at 10:30 a.m. The meeting agenda was posted prior to the meeting and proper advance notice was made to all concerned parties in adherence with the Freedom of Information Act. The following Commissioners were present at the meeting:

T. SCOTT BECK, INTERIM CHAIRMAN SUSAN S. BARDEN, VICE CHAIR DAVID W. HUFFSTETLER, COMMISSIONER DERRICK L. WILLIAMS, COMMISSIONER AVERY B. WILKERSON, JR., COMMISSIONER ANDREA C. ROCHE, COMMISSIONER

Present also were Gary M. Cannon, Executive Director, Betsy Hartman, DSIT, Greg Line, Claims Director, Al McCutcheon, Director of Insurance and Medical Services, Virginia Crocker, Judicial Department Director, W.C. Smith, Self-Insurance Director, Amanda Underhill, Senior Application Analyst, and J. Keith Roberts, Law Clerk. Visitors present were Mark T. Arden, Esquire and Kenny Harrell, South Carolina Injured Workers' Advocates, Ann Margaret McGraw, Midlands Orthopedics and SCOA, Katie Arden of Chappell, Smith and Arden, and Eric Douglas, Esquire of the Legislative Audit Council.

Chairman Beck called the meeting to order at 10:33 a.m. Chairman Beck noted for the record that, due to illness, The Honorable G. Bryan Lyndon was unable to attend.

AGENDA

Commissioner Williams moved that the July 19, 2010 agenda be approved. Commissioner Roche seconded the motion and the motion was approved.

APPROVAL OF MINUTES - BUSINESS MEETING OF JUNE 21, 2010

Commissioner Barden moved that the minutes of the Business Meeting of June 21, 2010 be approved. Commissioner Williams seconded the motion and the motion was approved.

GENERAL ANNOUNCEMENTS

Mr. Cannon announced the attendance roster was not in the lobby before the meeting and asked the attendees to sign the roster being passed around.

APPLICATIONS FOR APPROVAL TO SELF-INSURE

Self-insurance applications were presented by W.C. Smith, Self-Insurance Director. Eleven (11) prospective members of three (3) funds were presented to the Commission for approval. The applications were:

S. C. Home Builders SIF

Advanced Building Services
Crestwood Electrical, LLC
Custom Carolina Contractors, LLC
Swat Team Construction
Total Care Residential Services, LLC
Wayne Williams (dba) All Purpose Landscaping

Palmetto Timber Fund

J. Law Logging

S.C. Auto Dealers Association SIF

Best Chevrolet Hyundai of Greer Kia of Greer Toyota of Greer

After examination of the applications, it was determined that each complied with the Commission's requirements and each was recommended for approval. Commissioner Wilkerson made the motion to approve the applications to self-insure and Commissioner Roche seconded the motion. The motion was unanimously approved.

DIVISION DIRECTORS' REPORTS

The Division Directors presented their reports which were also submitted to the Commission in written form.

Administration Department

Mr. Cannon presented the financial report for the ten month period ending June 30, 2010. All expenses for June were received and paid timely.

Budget Amendment

Mr. Cannon presented a recommendation to increase Earmarked Fund Appropriations by \$356,315 using available fund balance. The fund balance at June 30, 2010 was \$2,832,052. Commissioner Roche moved to approve the recommendation. Commissioner Wilkerson seconded the motion, and the motion was unanimously approved.

Information Services

Betsy Hartman presented the Information Services Department's report. Ms. Hartman noted that the number of eCase inquiries has increased resulting in a decrease in the cost of postage.

Insurance & Medical Services

Al McCutcheon presented the Insurance and Medical Services Department's report. This was received as information.

Claims Department

Greg Line presented the Claims Department's report. This was received as information.

Judicial Department

Virginia Crocker presented the Judicial Department's report. This was received as information.

EXECUTIVE DIRECTOR'S REPORT

Mr. Cannon reported on the following items:

Fines and Assessments Aging Report

The attached Fines and Assessments Aging Report reflects the number and amount of fines assessed for the 12 month period in FY 2009-10.

SC Bar Continuing Education Legal Division

On June 25th the SC Bar sponsored a continuing education workshop celebrating the 75th anniversary of the SC Workers' Compensation Commission. Chairman Roche and Commissioners Beck, Wilkerson, and Williams participated in a panel discussion, "Recent Developments at the SC Workers' Compensation Commission", and the Executive Director participated in a panel discussion, "Challenges, Opportunities, and Solutions in the Current Economic Climate."

Personnel Recruitment

Administrative Coordinator (Executive Director) Kandee Johnson transferred to the Compliance Officer's position in Insurance and Medical Services Division July 2nd. We received 121 applications for the Administrative Coordinator's position. Five candidates meeting the desired qualifications and experience were interviewed. A final decision is pending.

<u>Human Resource Manager II (Administration)</u> The Commission received 124 applications for the Human Resource Manager II position in the Administration Division. Six candidates possessing the desired qualifications and experience were interviewed. A final decision is pending.

Administrative Specialist II (Claims) The position recruitment notice has been posted on the SC Office of Human Resources website http://www.jobs.sc.gov. The closing date for accepting applications is July 16th.

Executive Assistant II (Executive Director) The position became vacant on June 25. The Commission voted at the June 17th Business Meeting to not fill the vacant position.

Constituent Services/Public Information

In the absence of the Executive Assistant, constituent services/public information function has been assumed by the Executive Director. During the previous 30 days two meetings were conducted, 20 telephone communications with claimants, 6 telephone contacts, prepared 2 written responses to legislators, prepared 1 written response and 5 telephone contacts responding to information request from the Legislative Audit Council, responded to 2 telephone inquiries from the news media, made 10 telephone contacts with other state agencies personnel, and conducted 1 meeting with a service provider.

OLD BUSINESS

There were no items of Old Business.

NEW BUSINESS

Medical Services Provider Manual Advisory Committee Report

Mark Arden, Esquire, Chairman of the Medical Services Provider Manual Advisory Committee, presented the Committee's report. Mr. Arden reported the Committee met four times between March 1 and June 18 resulting in the findings and recommendations contained in the report. Mr. Arden summarized the recommendations as follows: (1) The Commission continue the current policy of utilizing the Resource Based Relative Value Scale (RBRVS) and a single conversion factor to calculate the Maximum Allowable Payment; (2) The Commission adopt an annual review process for adjustments to the Provider Manual to include a period for stakeholder comments; (3) the Commission include a complete listing of the HCPCS codes in the Provider Manual; (4) the Commission conduct a cost benefit analysis of including the American Dental Association codes for services provided for inclusion in the Provider Manual; (5) the Advisory Committee's report include minority reports. Commissioner Huffstetler stated concerns about the recommendation for providing a comment period in light of the issues in the pending litigation with the ambulatory surgery centers. Commissioner Huffstetler requested information about the staff resources required to update the Provider Manual, the data and information needed to develop the various calculations, a description of the process used to generate the financial data, a comparison of the various methods of the financial impact to the overall system, and the savings between using the State Health Plan rates compared to the rates using the current single conversion factor method. Commissioner Roche commented that the Commission has no obligation to provide a comment period on any changes to the fee schedule. Any opportunities given to the stakeholders are solely as a courtesy. Commissioner Roche further stated concerns about the financial impact or cost to the Commission of revisiting the fee schedule annually. Chairman Beck thanked Mr. Arden and all of the members of the committee for their efforts in this matter. Commissioner Wilkerson made the motion to accept the report as information. The motion was seconded by Commissioner Williams, and the motion was approved.

Hearing Costs Assessment

Mr. Cannon presented a recommendation to approve the hearing cost assessment under

regulation R 67-614 for FY 2010-11 as \$1,014.86. Following discussion Mr. Cannon stated that he would rework the figures to include the suggested additional costs and report at the next meeting.

ADJOURNMENT

Commissioner Roche made the motion to adjourn. Commissioner Wilkerson seconded the motion and the motion was approved.

The July 19, 2010 meeting of the South Carolina Workers' Compensation Commission adjourned at 11:25 a.m.

Reported July 30, 2010
Gary M. Cannon, Executive Director

INTEROFFICE MEMORANDUM

TO:

GARY CANNON, EXECUTIVE DIRECTOR

FROM:

DIANA GANTT, DIRECTOR OF ADMINISTRATION

SUBJECT:

FINANCIAL REPORT PERIOD ENDING JULY 31, 2010

DATE:

8/11/2010

The finance report for the one month period ending July 31, 2010, is attached.

Any prior year invoices received before Friday, July 16th were processed using FY2010 funds.

There were 3 payrolls posted in the month of July.

• Key figures for the Administration Department during the month of June:

SCEIS Shopping Carts	5	State Reports filed by Procurement Officer	3
Vendors Contacted for Price Quotes	9	Files Copied for Outside Parties	264
Visa Procurement Card Orders Placed	4	Payments made (Vendors, Travel, Other State Agencies)	74
SC Dept of Corrections Orders Placed	3	HR transactions processed through OHR	0
Staples Orders Placed	3	HR transactions processed in SCEIS	6
State Leased Vehicles taken for Service	3	See attached Mail Summary	

South Carolina Workers' Compensation Commission Summary of Revenues and Expenditures 2010 - 2011 Budget July 31, 2010

						Benchmark	8.33%
STATE APPROPRIATIONS			_				
General Appropriation	\$	1,919,955	\$	159,996			8.33%
Account Description	Δr	propriation	Fy	penditure		Balance	% Expended
Personal Services	\$	1,471,636	\$	182,859	\$	1,288,777	12.4%
Other Operating Expenses	7	1,471,000	Ψ.	102,033	Ÿ	1,200,777	0.0%
Employer Contribution		448,319		51,317		397,002	11.4%
Total	Ś	1,919,955	Ś	234,176	Š	1,685,779	12.2%
							7
OTHER APPROPRIATIONS							
		Budgeted	-	Received			
EARMARKED		Revenues		u 07/31/10		% Received	
Training Conference Registration Fee	\$	1,000	\$	-		0.00%	
Sale of Publication and Brochures		8,000		4,950		61.88%	
Workers' Comp Award Review Fee		75,000		4,950		6.60%	
Sale of Photocopies		95,000		6,914		7.28%	
Workers' Compensation Filing Violation Fee		1,891,000		199,975		10.58%	
Sale of Listings and Labels		30,000		2,267		7.56%	
Workers' Comp Hearing Fee		600,000		36,425		6.07%	
Earmarked Funds - Original Authorization	\$	2,700,000	\$	255,480		9.46%	
BD100 to Increase Authorization - July 2010		356,315					
BD100 to Increase Authorization - July 2010 (PC's)		62,500					
Total Earmarked Revenues + Fund Balance	\$	3,118,815					
	_		_	174		D.L.	or consisted
Account Description		propriation		penditure		Balance	% Expended
Personal Services	\$	1,249,153	\$	161,300	\$		12.9%
Taxable Subsistence		80,000		7,635		72,365	9.5%
Other Operating Expenses		1,414,662		76,475		1,338,187	5.4%
Employer Contribution	_	375,000		46,545		328,455	12.4%
Total Earmarked	<u>\$</u>	3,118,815	\$	291,955	<u> </u>	2,826,860	9.4%
COMPUTER FUNDS CARRIED FORWARD	\$	54,761					
TOWN O'LD I O'LD O'MILLED I O'LLIFTIED	-	547, 51					
Computer Services - Carry forward	\$	54,761	\$	398	<u>\$</u>	54,363	0.7%
TOTAL OTHER APPROPRIATIONS	\$	3,228,337	\$	292,353	\$	2,881,223	9.1%

Consolidated

							0.004	
						o-Date :	8.3%	
	Original Budget	Budget Amendments	Amended Budget	Expended JULY	Year to Date	%	Encumb	Balance
Commissioners	Dauget	Amendments					Circuitio	Bolance
Salaries	\$ 1,150,244	\$ -	\$ 1,150,244	\$ 141,416	\$ 141,416	12%	\$ -	\$ 1,008,828
Other Operating Expenditures								
Total Contractual Services	247,935	-	247,935	1,047	1,047	0%	-	246,888
Total Supplies & Materials	36,313	-	36,313	191	191	1%	-	36,122
Total Fixed Charges	159,652	-	159,652	11,119	11,119	7%	-	148,533
Total Travel	87,650		87,650	911	911	1% 2%		86,739 518,282
Total Other Operating Exp	531,550	-	531,550	13,268	•			
Total Commissioners	\$ 1,681,794	\$ -	\$ 1,681,794	\$ 154,684	\$ 154,684	9%	\$ -	\$ 1,527,110
Administration								
Salaries	\$ 444,858	\$ -	\$ 444,858	\$ 59,868	\$ 59,868	13%	\$ -	\$ 384,990
Other Operating Expenditures								
Total Contractual Services	254,874	-	254,874	4,414	4,414	2%	-	250,460
Total Supplies & Materials	25,889	-	25,889	860 6,990	860 6,990	3% 5%	· -	25,029 128,759
Total Fixed Charges Total Travel	135,749 12,521	_	135,749 12,521	0,550	0,550	0%	-	12,521
Total Equipment	35,000	_	35,000	<u>-</u>	-	0%	30,165	4,835
Total Other Operating Exp	464,033	-	464,033	12,264	12,264	3%	30,165	421,604
Total Administration	\$ 908,891	\$ -	\$ 908,891	\$ 72,132	\$ 72,132	8%	\$ 30,165	\$ 806,594
Alatana								
Claims					4 44 400	4007		A 045 004
Salaries	\$ 361,417	\$ -	\$ 361,417	\$ 44,433	\$ 44,433	12%	\$ -	\$ 316,984
Other Operating Expenditures Total Contractual Services	47,405	_	47,405	1,349	1,349	3%	_	46,056
Total Supplies & Materials	22,138	_	22,138	3,529	3,529	16%		18,609
Total Fixed Charges	78,689	<u>-</u>	78,689	5,560	5,560	7%	-	73,129
Total Travel	1,750	_	1,750	85	85	5%	_	1,665
Total Other Operating Exp	149,982		149,982	10,523	10,523	7%	-	139,459
Total Claims	\$ 511,399	\$ -	\$ 511,399	\$ 54,956	\$ 54,956	11%	\$ -	\$ 456,443
Insurance and Medical Services								
Salaries	\$ 460,408	s -	\$ 460,408	\$ 58,391	\$ 58,391	13%	\$ -	\$ 402,017
Other Operating Expenditures	400,400	*	4 400,400		* 55,555		*	*,
Total Contractual Services	37,701	-	37,701	1,770	1,770	5%	-	35,931
Total Supplies & Materials	33,500	-	33,500	(401)	(401)	-1%	-	33,901
Total Fixed Charges	62,220	-	62,220	3,924	3,924	6%	-	58,296
Total Travel	258		258		<u> </u>	0%	-	258
Total Other Operating Exp	133,679	-	133,679	5,293	5,293	4%	-	128,386
Total Insurance and Medical Services	\$ 594,087	\$ -	\$ 594,087	\$ 63,684	\$ 63,684	11%	\$ -	\$ 530,403
Judicial								
Salaries	\$ 383,862	\$ -	\$ 383,862	\$ 47,686	\$ 47,686	12%	\$ -	\$ 336,176
Other Operating Expenditures								
Total Contractual Services	43,078	-	43,078	-	-	0%	-	43,078
Total Supplies & Materials	22,024	-	22,024	56	56	0%	-	21,968
Total Fixed Charges	66,966	-	66, 966	4,906	4,906	7%	-	62,060
Total Travel	3,350		3,350	-	4.053	0%		3,350
Total Other Operating Exp	135,418	-	135,418	4,962	4,962	4%		130,456
Total Judicial	\$ 519,280	\$ -	\$ 519,280	\$ 52,648	\$ 52,648	10%	\$ -	\$ 466,632
Totals By Departments								
Department Totals	\$ 1,681,794	\$ -	\$ 1,681,794	\$ 154,684	\$ 154,684	9%	\$ -	\$ 1,527,110
Commissioners Administration	\$ 1,681,794 908,891	- -	908,891	\$ 154,664 72,1 32	72,132	3% 8%	30,165	806,594
Claims	511,399	-	511,399	54,956	54,956	11%	-	456,443
Insurance & Medical	594,087	- -	594,087	63,684	63,684	11%	-	530,403
Judicial	519,280	-	519,280	52,648	52,648	10%	-	466,632
Total Departmental Expend	\$ 4,215,451	\$ -	\$ 4,215,451	\$ 398,104	\$ 398,104	9%	\$ 30,165	\$ 3,787,182
Employer Contributions	823,319		823,319	97,862	97,862	12%		725,457
Total General & Earmarked Funds	\$ 5,038,770	\$ -	\$ 5,038,770	\$ 495,966	\$ 495,966	10%	\$ 30,165	\$ 4,512,639

General Appropriation

General Appropriation						Year-To-Date: 8.3%								
		Original	Bud	dget	A	mended	E	xpended	Ye	ar to Date				
		Budget	Amen	dments		Budget		JULY		to Date	%	Encumb		Balance
Commissioners														
Salaries														
Chairman	\$	115,567	\$	-	\$	115,567	\$	14,210	\$	14,210	12%	\$ -	\$	101,357
Commissioner		664,602		-		664,602		83,312		83,312	13%	-		581,290
Classified Employees		290,075		-		290,075		36,259		36,259	12%			253,816
Total Commissioners	:	1,070,244		-		1,070,244		133,781		133,781	13%	-		936,463
Administration														
Salaries														
Director	\$	94,152	\$	-	\$	94,152	\$	11,769	\$	11,769	13%	\$ -	\$	82,383
Classified Positions		132,206		-		132,206		14,934		14,934	11%	_		117,272
Total Administration		226,358		-		226,358		26,703		26,703	12%	_		199,655
Claims														
Salaries														
Classified Positions	\$	55,417	\$	_	\$	55,417	\$	7,410	\$	7,410	13%	\$ -	\$	48,007
Total Claims		55,417	. ————	-		55,417		7,410		7,410	13%	-		48,007
Insurance and Medical Services														
Salaries														
Classified Positions	\$	57,755	\$	_	\$	57,755	\$	7,232	\$	7,232	13%	\$ -	\$	50,523
Total Ins and Medical Svcs		57,755	· • • • • • • • • • • • • • • • • • • •	-		57,755	_	7,232	_	7,232	13%	-	_ <u> </u>	50,523
Judicial														
Salaries														
Classified Positions	\$	61,862	\$	_	\$	61,862	\$	7,733	\$	7,733	13%	\$ -	\$	54,129
Total Judicial		61,862	· <u></u> :	-		61,862		7,733		7,733	13%	•		54,129
General Funds														1
Department Totals Commissioners	٠ خ	1,070,244	Ś		٠	1,070,244	\$	133,781	Ś	133,781	13%	\$ -	Ś	936,463
Administration	Ş.	226,358	Þ	-	ş	226,358	Ģ	26,703	Þ	26,703	12%	> -	Þ	199,655
Claims		55,417		_		55,417		7,410		7,410	13%			48,007
Insurance & Medical		57,755		-		57,755		7,410		7,410	13%			50,523
Judicial		61,862		_		61,862		7,733		7,733	13%	_		54.129
Total Departmental Expend	\$:	1,471,636	\$	*	\$	1,471,636	\$	182,859	\$	182,859	12%	\$ -	\$	1,288,777
Employer Contributions	_	448,319		<u>-</u>		448,319		51,317		51,317	11%			397,002
Total General Fund Appropriations	\$:	1,919,955	\$		\$	1,919,955	 \$	234,176	- \$	234,176	12%	\$ -	\$	1,685,779
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Earmarked Funds					Year-T	o-Date : 8	3.3%	
	Original	Budget	Amended	Expended	Year			
	Budget	Amendments	Budget	JULY	to Date	%	Encumb	Balance
Commissioners								
Salaries				• • • • • • • • • • • • • • • • • • • •	.	400/		A 72.205
Taxable Subsistence	\$ 80,000	\$ -	\$ 80,000		\$ 7,635 7,635	10% 10%	\$ -	\$ 72,365 72,365
Total Salaries	80,000	-	80,000	7,635	7,635	10%	•	72,303
Other Operating Expenditures								
Contractual Services								
Office Equipment Service	700	-	700	-	-	0%	-	700
Copying Equipment Service	200	-	200	-	-	0%	-	200
Print/Bind/Advertisement	510	-	510	-	-	0%	-	510
Print Pub Annual Reports	28	-	28	-	-	0%	-	28
Data Processing Services	68,535		68,535			0%		68,535
Freight Express Delivery	490	-	490	-	-	0%	-	490
Telephone	4,500	=	4,500	*	-	0%	-	4,500
Cellular Phone Service	12,000	-	12,000		1.047	0%	_	12,000 158,953
Legal Services/Attorney Fees	160,000	-	160,000	1,047	1,047	1%	-	156,935 972
Other Professional Services	972		972	1.047	1,047	0% 0%		246,888
Total Contractual Services	247,935	-	247,935	1,047	1,047	U/6	·	240,000
Supplies & Materials								
Office Supplies	8,500	-	8,500	173	173	2%	-	8,327
Copying Equipment	2,714	-	2,714	-	-	0%	-	2,714
Printing	1,750	-	1,750	-	-	0%	-	1,750
Data Processing Supplies	649	-	649	-	-	0%	-	649
Postage	21,500	-	21,500	-	-	0%	-	21,500
Communication Supplies	50	-	50	-	-	0%	-	50
Maint/Janitorial Supplies	75	-	75	18	18	24%	-	57
Gasoline	100	-	100	-	***	0%	-	100
Other Supplies	975	-	975		. <u> </u>	0%		975
Total Supplies & Materials	36,313	-	36,313	191	191	1%	-	36,122
Fixed Charges								
Rental-Cont Rent Payment	4,800	-	4,800	-	-	0%	-	4,800
Rent-Non State Owned Property	149,750	-	149,750	11,119	11,119	7%	-	138,631
Rent-Other	250	-	250	-	-	0%	-	250
Insurance-State	3,633	-	3,633	-	-	0%	-	3,633
Insurance-Non State	169	-	169	-	-	0%	-	169
Fees & Fines	50	-	50	-	-	0%	-	50
Equipment Maintenance	1,000		1,000			0%		1,000
Total Fixed Charges	159,652	-	159,652	11,119	11,119	7%	-	148,533
Travel (Includes Leased Car)								
In State - Meals (Non-Reportable)	650	-	650		-	0%	-	650
In State - Auto Mileage	10,000	-	10,000	728	728	7%	-	9,272
In State - Subsistence Allowance	25,000	-	25,000	=	-	0%	-	25,000
Out State - Meals	500	-	500	16	16	3%	-	
Out State - Auto Mileage	1,500	-	1,500	167	167	11%	-	1,333
Leased Car	50,000	-	50,000	-		0%		50,000
Total Travel	87,650	-	87,650	911	911	1%	-	86,739
Total Other Operating Expenditures	531,550	-	531,550	13,268	13,268	2%	-	518,282
Total Commissioners	\$ 611,550	\$ -	\$ 611,550	\$ 20,903	\$ 20,903	3%	\$ -	\$ 590,647

July 31, 2010

Earmarked Funds				Year-To-Date : 8.3%							
	Original	Budget	Amended	Expe	ended	Year					
	Budget	Amendments	Budget	<u>, J</u> l	ULY	to Date	<u> </u>	Encumb	Balance		
Administration											
Salaries											
Classified Positions	\$ 214,000	\$ -	\$ 214,000	\$	32,330	\$ 32,330	15%	\$ -	\$ 181,670		
Temporary Employees	3,500	-	3,500			-	0%	-	3,500		
Terminal Leave	1,000		1,000		835	835	84%		165		
Total Salaries	218,500	-	218,500		33,165	33,165	15%	•	185,335		
Other Operating Expenditures											
Contractual Services						•					
Office Equipment Service	4,904	-	4,904		3,613	3,613	74%	-	1,291		
Copying Equipment Service	2,000	-	2,000		-	-	0%	-	2,000		
Print/Bind/Advertisement	4,650	-	4,650		-	-	0%	-	4,650		
Print Pub Annual Reports	22		22				0%	. .	190 957		
Data Processing Services	181,658	-	181,658		801	801	0%	-	180,857 15,500		
Freight Express Delivery	15,500	-	15,500		-	-	0% 0%	-	4,493		
Telephone	4,493 1,925	•	4,493 1,925		-	-	0%	-	1,925		
Cellular Phone Service Education & Training Services	1,000	- -	1,000		-		0%	_	1,000		
Attorney Fees	34,947	<u>-</u>	34,947		_	-	0%	-	34,947		
General Repair	230	_	230		_	-	0%	-	230		
Audit Acct Finance	100		100		_	-	0%	-	100		
Catered Meals	1,000	-	1,000		-	-	0%	<u></u>	1,000		
Other Professional Services	2,000	-	2,000		-	-	0%		2,000		
Other Contractual Services	445		445				0%	<u> </u>	445		
Total Contractual Services	254,874	-	254,874		4,414	4,414	2%	-	250,460		
O combine O Bassandala											
Supplies & Materials	9,743	_	9,743		710	710	7%	-	9,033		
Office Supplies Subscriptions	200	_	200		710	7.10	0%	_	200		
Copying Equipment Supplies	3,934	_	3,934		167	167	4%		3,767		
Printing	1,964	_	1,964		-	-	0%	.	1,964		
Data Processing Supplies	2,075	_	2,075		47	47	2%	-	2,028		
Postage	7,100	-	7,100		(79)	(79)	-1%	-	7,179		
Maint/Janitorial Supplies	98	-	98	4	15	15	15%	-	83		
Gasoline	36	-	36		-	-	0%	-	36		
Promotional Supplies	75	-	75		-	-	0%	-	75		
Employee Recog Award	564	-	564		-	-	0%	-	564		
Other Supplies	100		100				0%		100		
Total Supplies & Materials	25,889	-	25,889		860	860	3%	-	25,029		
Fixed Charges											
Rental-Copying Equipment	1,000	· -	1,000		-	-	0%	-	1,000		
Rental-Cont Rent Payment	4,979	-	4,979		-	-	0%	-	4,979		
Rent-Non State Owned Property	107,101	-	107,101		7,195	7,195	7%	-	99,906		
Rent-Other	225	-	225		(205)	(205)	-91%	-	430		
Insurance-State	7,490	-	7,490		-	-	0%	-	7,490		
Insurance-Non State	134	-	134		-	-	0%	-	134		
Dues and Memberships	3,985	-	3,985		-	-	0%	-	3,985		
Fees and Fines	25	-	25		-	-	0%	-	25		
Equipment Maintenance	1,000	~	1,000		-	-	0% 0%	_	1,000 124		
Equipment Data (Non-Capitalized)	124	-	124 9,686		-	-	0%	_	9,686		
Sales Tax Paid	9,686 135,749	- <u> </u>	135,749		6,990	6,990	5%		128,759		
Total Fixed Charges	133,743	_	133,145		0,550	0,550	370		,		
Travel (includes Leased Car)											
In State - Meals Non-Reportable	21	-	21		-	-	0%	-	21		
In State - Registration Fees	-	-		•	-	-	0%	-	40.500		
Leased Car	12,500		12,500				0%		12,500		
Total Travel	12,521	-	12,521		-	-	0%	-	12,521		
Equipment									•		
Equipment Data Processing- PC's	35,000	<u> </u>	35,000				0%		4,835		
Total Equipment	35,000	-	35,000		-	-	0%	30,165	4,835		
Total Other Operating Expenditures	464,033	_	464,033		12,264	12,264	3%	30,165	421,604		
	· ·		•		•						
Total Administration	\$ 682,533	\$ -	\$ 682,533	\$	45,429	\$ 45,42 9	7%	\$ 30,165	\$ 606,939		

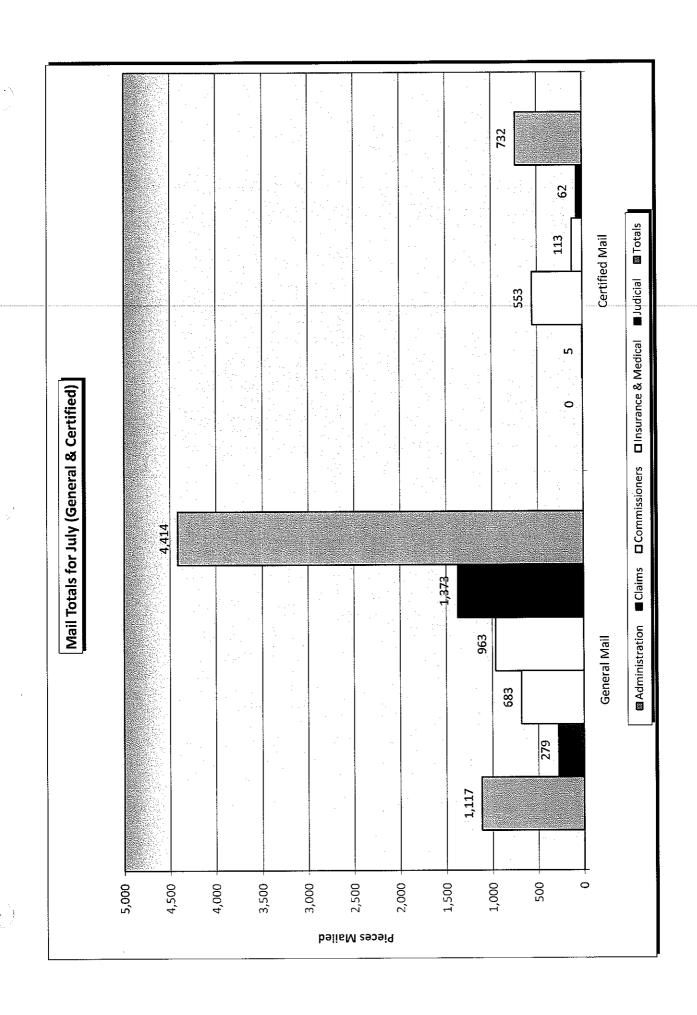
July 31, 2010

							o-Date : 8		
	Original	Budget	Amended		ended	Year	%	Encumb	Balance
	Budget	Amendments	Budget	-	JULY	to Date	70	Encumb	Dalance
ms									
Salaries									
Classified Positions	\$ 301,000	\$ -	\$ 301,000	\$	33,138	\$ 33,138	11%	\$ -	\$ 267,86
Temporary Positions	4,000		4,000		3,303	3,303	83%	-	69
Terminial Leave	1,000	-	1,000		582	582	58%		41
Total Salaries	306,000	-	306,000		37,023	37,023	12%	•	268,91
Other Operating Expenditures									
Contractual Services				٠					
Office Equipment Services	200	-	200		-	-	0%	-	20
Print / Bind / Adv	750	-	750			-	0%	-	75
Print Pub Annual Reports	22		22		-		0%	-	
Data Processing Services	26,933	-	26,933		-	-	0%	-	26,9
Freight Express Delivery	500	-	500		-	-	0%	-	50
Telephone	3,000	-	3,000		-	-	0%	-	3,0
Temporary Services	13,000	-	13,000		1,349	1,349	10%	~	11,6
Other Professional Services	3,000		3,000				0%		3,0
Total Contractual Services	47,405	-	47,405		1,349	1,349	3%	-	46,0
Supplies & Materials									
Office Supplies	3,913	-	3,913		3,514	3,514	90%	~	3
Copying Equipment	2,000	-	2,000		-	=	0%	-	2,0
Printing	2,000	-	2,000		-	-	0%	-	2,0
Data Processing Supplies	75	-	75		-	-	0%	H	
Postage	14,000	-	14,000		•	-	0%	-	14,0
Maint/Janitorial Supplies	50	-	50		15	15	30%	-	
Other Supplies	100		100				0%		1
Total Supplies & Materials	22,138	-	22,138		3,529	3,529	16%	-	18,6
Fixed Charges									
Rental-Cont Rent Payment	2,500	-	2,500		-	-	0%	•	2,5
Rent-Non State Owned Property	73,750	-	73,750	4	5,560	5,560	8%	-	68,1
Rent-Other	225	-	225		-	-	0%	-	2
Insurance-State	1,080	-	1,080		-	-	0%	-	1,0
Insurance-Non State	134	-	134		-	-	0%	-	1
Equipment Maintenance	1,000		1,000		-		0%	-	1,0
Total Fixed Charges	78,689	-	78,689		5,560	5,560	7%	•	73,1
Travel (Includes Leased Car)									=
In State - Meals (Non-Reportable)	300	-	300		-	-	0%	-	3
In State - Lodging	500	-	500		-		0%	-	5
In State - Auto Mileage	600	-	600		72	72	12%	7	5
Reportable Meals	100	=	100		13	13	13%		
Leased Car	250		250			<u> </u>	0%		2
Total Travel	1,750	-	1,750		85	85	5%	•	1,6
Total Other Operating Expenditures	149,982	-	149,982		10,523	10,523	7%	•	139,4
al Claims	\$ 455,982	\$ -	\$ 455,982	\$	47,546	\$ 47,546	10%	\$ -	\$ 408,4

July 31, 2010

					Year-T			
	Original	Budget	Amended	Expended	Year			
	Budget	Amendments	Budget	JULY	to Date	%	Encumb	Balance
Insurance and Medical Services								
Salaries								
Classified Positions	\$ 383,000	\$ -	\$ 383,000	\$ 44,647	\$ 44,647	12%	\$ -	\$ 338,353
Temporary Employees	15,018	-	15,018	1,877	1,877	12%	-	13,141
Special Contractual Employee	4,635	_	4,635	4,635	4,635	100%		
Total Salaries	402,653	-	402,653	51,159	51,159	13%	-	351,494
Other Operating Expenditures				Y				
Contractual Services								200
Office Equipment Service	200	-	200	-	-	0%	-	200
Copying Equipment Service	1,000	*	1,000	-	-	0%	-	1,000
Print/Bind/Advertisement	3,400	• • • • • • • • • • • • • • • • • • • •	3,400			0%		3,400
Print Pub Annual Report	24	-	24	-		0%	-	24
Data Processing Services	24,864	-	24,864	1,605	1,605	6%	-	23,259
Telephone	2,626	=	2,626	-	-	0%	-	2,626
Other Professional Services	2,387	-	2,387	165	165	7%	-	2,222
Other Contractual Services	3,200		3,200			0%		3,200
Total Contractual Services	37,701	-	37,701	1,770	1,770	5%		35,931
Supplies & Materials								
Office Supplies	6,000	-	6,000	(417)	(417)	-7%	-	6,417
Copying Equipment	3,000	-	3,000	-	- ,	0%	-	3,000
Printing	1,500	-	1,500	-	-	0%	-	1,500
Data Processing Supplies	1,000	_	1,000	-	-	0%	-	1,000
Postage	21,825	_	21,825	-	-	0%	-	21,825
Maintenance/Janitorial Supplies	75	_	75	16	16	21%	-	59
Other Supplies	100	_	100			0%		100
Total Supplies & Materials	33,500	-	33,500	(401)	(401)	-1%	-	33,901
Fixed Charges								
Rental-Cont Rent Payment	2,104	_	2,104	•	•	0%	-	2,104
Rent-Non State Owned Property	56,400	-	56,400	3,924	3,924	7%	-	52,476
Rent-Other	225	-	225	-	-	0%	-	225
Insurance-State	1,101	-	1,101	-	-	0%	~	1,101
Insurance-Non State	148	-	148	-	-	0%	~	148
Equipment Maintenance	942	-	942	-	-	0%	-	942
Sales Tax Paid	1,300	-	1,300	_		0%		1,300
Total Fixed Charges	62,220	-	62,220	3,924	3,924	6%	-	58,296
Travel (Includes Leased Car)								
In State - Meals (Non-Reportable)	100	_	100	-	-	0%	-	100
In State - Lodging	158	_	158		-	0%	-	158
Total Travel	258		258	-	-	0%	-	258
Total Other Operating Expenditures	133,679	-	133,679	5,293	5,293	4%	-	128,386
Total Insurance and Medical Services	\$ 536,332	\$ -	\$ 536,332	\$ 56,452	\$ 56,452	11%	\$ -	\$ 479,880

						Year-To-Date: 8.3%					
	Original	Budget	Amended	Ex	pended		Year				
	Budget	Amendments	Budget	_,	JULY	t	o Date	%	Encumb	E	Balance
			<u></u>								
Judicial											
Salaries											
Classified Positions Total Salaries	\$ 322,000 322,000		\$ 322,000 322,000	\$	39,953 39,953	\$	39,953 39,953	12% 12%	\$ -	_\$_	282,047 282,047
Other Operating Expenditures											
Contractual Services				•							
Office Equipment Services	180	-	180		-		-	0%	-		180
Print/Bind/Advertisement	500	-	500		•		-	0%	-		500
Print Pub Annual Reports	20	-	20		-		-	0%	-		20
Data Processing Services	37,803	-	37,803		-		-	0% 0%	-		37,803 150
Freight Express Delivery	3,000		3,000		.			0%			3,000
Telephone Cellular Phone Service	1,225	_	1,225		_		-	0%	_		1,225
Other Professional Services	200	_	200		_		_	0%	_		200
Total Contractual Services	43,078	· 	43,078				-	0%			43,078
Supplies & Materials				,							
Office Supplies	4,775	_	4,775	_	43		43	1%	_		4,732
Copying Equipment Supplies	1,949	_	1,949		13		13	1%	_		1,936
Printing	2,500	-	2,500				-	0%	-		2,500
Data Processing Supplies	75	-	75		-		-	0%	-		75
Postage	12,580	=	12,580		-		-	0%	_		12,580
Maintenance/Janitorial Supplies	50	-	50		-		-	0%	-		50
Promotional Supplies	20	-	20		-		-	0%	-		20
Other Supplies	75		75		<u>-</u> 56			0% 0%		_	75 21,968
Total Supplies & Materials	22,024	-	22,024		56		56	U%	•		21,968
Fixed Charges											
Rental-Cont Rent Payment	1,750	-	1,750		-		-	0%	-		1,750
Rent-Non State Owned Property	63,750	-	63,750		4,906		4,906	8%	-		58,844
Rent-Other	225	-	225		-		-	0%	*		225
Insurance-State	1,121	-	1,121		-		-	0%	-		1,121
Insurance-Non State	120	-	120				4.006	0% 7%		_	120 62,060
Total Fixed Charges	66,966	-	66,966		4,906		4,906	170	•		02,000
Travel (Includes Leased Car)								05/			250
In State - Meals / Non-Reportable	250	-	250		-		-	0%	-		250
Reportable Meals	100	-	100		-		-	0% 0%	-		100 400
In State - Lodging	400	-	400 2,200		-		-	0%	-		2,200
In State - Auto Mileage In State - Misc Travel Expense	2,200 100	_	100	,	_		_	0%	-		100
Out State - Misc Travel Expense	300	_	300		_		_	0%	_		300
Total Travel	3,350	-	3,350		-		-	0%	-		3,350
Total Other Operating Expenditures	135,418	-	135,418		4,962		4,962	4%	-		130,456
Total Judicial	\$ 457,418	\$ -	\$ 457,418	\$	44,915	\$	44,915	10%	\$ -	\$	412,503
Earmarked Funds											
Department Totals	4 -	•	* ***	_	22.5		20.000		<u> </u>	,	E00 C:-
Commissioners	\$ 611,550	\$ -	\$ 611,550	٠,5	20,903	\$	20,903	3%	-	\$	590,647
Administration	682,533	-	682,533		45,429 47,546		45,429 47,546	7% 10%	30,165		606,939 408,436
Claims Insurance & Medical	455,982 536,332	-	455,982 536,332		56,452		56,452	11%	-		479,880
Judicial	457,418	_	457,418		44,915		44,915	10%	-		412,503
Total Departmental Expend	\$ 2,743,815	\$ -	\$ 2,743,815	\$	215,245	\$	215,245	8%	\$ 30,165	\$	2,498,405
Employer Contributions	375,000		375,000		46,545		46,545	12%			328,455
Total Earmarked Funds	\$ 3,118,815	\$ -	\$ 3,118,815	\$	261,790	\$	261,790	8%	\$ 30,165	<u>\$</u>	2,826,860
Capital / Computer Project Carryforward	\$ 54,761	<u> </u>	\$ 54,761	, ċ	_	\$		0%	\$ 398	\$	54,363
Capital / Computer Project Carryforward	\$ 54,761	\$ -	3 34,/01	<u> </u>		-		<u> </u>	3 330	: _	3-,303



WCC IT Proj Status Report

Timing

Status Key: Not Started

August

Started resting with Adobe Pro 9 to create signature for the mage on image.

1. Figure out Commissioner Signature on doc – done 8/4/2010

2. Figure out Ceitificate of Service on doc –

3. Automate Virtua Print in Adobe –

4. Procure software emplates developed - Need process and training emplates developed - Need process and training Issues / Comments Amanda Amanda Lead 25% 18% 25% %0 % %0 % September 2010 September 2010 September 2010 September 2010 December 2010 January 2012 January 2012 August 2010 Projects Due Date August 2010 August 2010 July 2010 July 2010 July 2010 Regulation 67-213 67-213 67-213 67-211 67-213 67-213 67-213 67-213 67-205 Train Claims on verification Initiatives- Appeal Notices TPA's - attached to claim Fine Orders Template Electronic Service Initiatives Electronic receipt of any Etectronic Service Initiatives - Receipt of electronic pleadings Administrative Orders Template Attorney add feature Sub Project Electronic Service Electronic Service Initiatives Electronic Service Electronic Service Electronic Service Electronic Service Initiatives Consent Orders not carrier code Initiatives Fee Petitions modifications or document Initiatives IC Notices Clinchers nitiatives 3 Phase II - Progress EDI/eCase Key Projects 4c Electronic Service Initiatives 2 WCC Closed File Scanning eCase Enhancements 3 Phase II - Claims EDI 49 4 4 46 4 4

WCC IT Proj Status Report

Status Key: Not Started August

Timing

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, -	NCCI issue sending old policy information causing Progress to be out of sync on closed 1 policies	EDI Coverage	June	8/16/2010	80%	Duane	Preprocessor to allow acceptance of endorsements to older policies tested and functional in DEV. Needs to be intergrated with existing batch load process, re-tested and migrated to production
.,	NCCI issue relating to changes to key fields, such as fEIN's has been identified by NCCI 2 and has not been evaluated by WCC	EDI Coverage			%0	Виапе	
,,,	Modification to F18 functions in Progress	Progress	June		%0	Duane	Had to back out due to differences between dev and prod
,	New Face Sheet Template	KLove	June		0%	Duane	
	Self Insurered PDF generated and pushed to 5 website	Coverage	June			Duane	Have quick and dirty program to do but need an automated method so WC can do after Full Commission
	7 New report for tracking eService compliance	eService				Duane	and the state of t
	4 Add warning on closed file with Jar	Judicial			%0	Amanda	

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					Delivery date by 8/23 Imaging and set up complete by 8/30
2 PC/laptop purchase	Refresh	8/30/2010		Betsy	
3 Work Flow	Workflow with Onbase	TBD	%0	Garv/Betsv	
					Gathering metrics
4 Metrics	Phone call routing	August	10%	Betsy	

Department of Insurance & Medical Services South Carolina Workers' Compensation Commission August 2010 Monthly Report

•	July	August	September October	November December	January	February	March	April	May	June	2010 - 2011
SELF INSURANCE New Self-Insurers Approved Self Insurance Tax Collected	11 \$35,282										11
COMPLIANCE Cases Active at Beginning of Period Cases Initiated Cases Closed	422 203 25			U							203 25
Cases Active at End of Period Total Fines Assessed - Employer wage / coverage screening - Underlying claim / uninsured employer - Random Investigation	\$49,965 \$30,050 \$19,915										\$49,965 \$30,050 \$19,915 \$0
Total Fines Collected - Employer wage / coverage screening - Underlying claim / uninsured employer - Random Investigation Fines Waived/Rescinded/Uncollectable - Waived - Rescinded	\$15,9 \$14,1 \$1,8 \$25,7 \$8,3 \$17,4										\$15,975 \$14,175 \$1,800 \$0 \$25,770 \$8,370 \$17,400
COVERAGE & ACCIDENT RPTG Employers Withdrawing From the Act Coverage Fines Assessed Coverage Fines Collected Coverage Fines Waived Number of 12As Filed EDI Number of 12As Filed Manually Total Number of WCC Files Created Number of Fatalities Filed on 12As	\$18,400 \$67,795 \$1,000 1,762 336 2,098										\$18,400 \$67,795 \$1,000 1,762 336 2,098
MEDICAL SERVICES Bills Pending at Beginning of Period Bills Received Bills to be Reviewed Bills Reviewed this Month Bills Pending at End of Period	76 83 159 66 66 93										83

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acional accional					STATIST	STATISTICS FOR FISCAL Y 2010-2011	FISCAL Y	2010-201	-				
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Idilia Services Division													
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State of South Carolina

1333 Main Street, 5th Floor P.O. Box 1715 Columbia, S.C. 29202-1715



TEL: (803) 737-5700 FAX: (803) 737-5764

Workers' Compensation Commission

Executive Director's Report August 16, 2010

Medical Services Provider Manual Advisory Committee - Minority Reports

At the Business Meeting on July 19, the Commission asked staff to notify members of the Advisory Committee to offer the opportunity to submit a minority report or comments on the Advisory Committee's Report. Attached is a copy of the email sent to the committee members. The only response we received is attached.

SC Association of Orthopaedic Executives

The Executive Director participated in a panel discussion at the annual meeting of the SC Association of Orthopaedic Executives on August 6. The presentation topic was an overview of the Commission's responsibilities, an update of current issues and activities and a discussion of the Medical Services Provider Manual Advisory Committee's Report.

Fines and Assessments Aging Report

The attached Fines and Assessments Aging Report reflects the number and amount of fines assessed for the 1 month period in FY 2010-11.

Personnel Recruitment

Administrative Coordinator (Executive Director)

Kimberly Ballentine was selected for the position. She began work on August 2, 2010.

Human Resource Manager II (Administration)

Cathy Floyd was selected for the position. She began work on August 4, 2010.

Administrative Specialist II (Claims)

Calandra T. Sorrells was selected for the position. She began work on August 2, 2010.

Employee Relations

All Employee Meeting

All employees participated on July 22.

Lunch with the Executive Director

Four employees participated on July 29.

Constituent Services/Public Information

During the previous 30 days the Executive Director's Office conducted 2 meetings and 12 telephone communications with claimants, had 6 telephone contacts and prepared 3 written responses to legislators, had 4 telephone contacts with the news media, 11 telephone contacts and 3 meetings with service providers or stakeholders, and 2 telephone contacts with other state agencies personnel.

Cannon, Gary

From:

Cannon, Gary

Sent:

Cc:

Monday, July 26, 2010 9:19 AM

To:

AnnMargaret McCraw; Barney Osborne; Brian Teusink; Cindy Benton; Donna Croom; Dr. David Adcock; Dr. Will Floyd; Glenn Miller; Harry Gregory; Jeri Boysia; Smoak, Laura; Lorynda Fish; Margarita Pate; Mark Arden; Mary Ann Lubeskie; Mike Pankee; Moby

Salahuddin: Randee Pardee; Rebecca Rabern; Rick Bouchard; Ron Chatham

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Subject:

Advisory Committee Report - Minority Reports

Fee Schedule Advisory Committee Members:

On July 19, 2010 Medical Services Provider Manual (Physician's Fee Schedule) Advisory Committee Chairman Mark Arden presented the Committee's Report to the Workers' Compensation Commission. A copy of the report included in the Commissioner's Agenda packet that was emailed to you on June 15th.

Recommendation 5 in the report states the "...report will include minority reports." No minority reports were considered at the Advisory Committee meeting on June 18th therefore none were included in the report submitted to the Commission.

At the Commission meeting on July 19th Chairman Beck expressed concern about the lack of minority reports and wanted to insure each Committee member had the opportunity to communicate their organization's position to the Commission. Therefore, if you wish to submit your organization's position or comment on the Advisory Committee's Report, please email them to me at gcannon@wcc.sc.gov by 12:00 PM August 11, 2010. I will include the comments in the Executive Director Report in the Commissioner's agenda books for the Business Meeting on August 16.

Thank you for your time and efforts completing the Committee's Report. If you have any questions please contact me.

Gary M. Cannon
Executive Director
SC Workers' Compensation Commission
1333 Main Street
P.O. Box 1715
Columbia, SC 29202-1715

August 11, 2010

Workers Compensation Commission

RE: Minority Report for Medical Services Provider Manual Advisory Committee

Dear Commissioners,

On behalf of the membership of the South Carolina Orthopaedic Association, I would like to thank you for the opportunity to serve and provide input in the deliberations of the Medical Services Provider Manual Advisory Committee. Our association was well represented through the process by AnnMargaret McCraw from Midlands Orthopaedics in Columbia.

We appreciate the careful consideration that the Advisory Committee gave our recommendations, although a majority of the Committee did not ultimately agree with our request to give the Commission the flexibility to adopt multiple conversion factors. Please accept this Minority Report as an official record of our position and the rationale for it. We maintain that our proposal will ultimately lead to greater quality care rendered to injured workers and overall cost savings to the system by aligning resources in the system to promote rapid access to specialty and surgical care when needed; thereby, accelerating return to work.

We hope the Commission will continue to consider our recommendations as we all strive for a more efficient and effective rehabilitation and return to work program for injured workers in South Carolina.

The SCOA presented the following motions to the Committee:

Motion 1: Continue the current policy of utilizing the Resource Based Relative Value Scale (RBRVS) to establish the value of the codes in the Provider Manual

Motion 2: The Workers Compensation Commission should have the authority to utilize multiple conversion factors for medical services to ensure access to care for our unique patient population.

The second motion failed to pass at the Committee level.

We present the following supporting documentation for our position. Additional information relative to each of these points is available upon request, although most of if has been shared previously with the Commission and the Committee.

- The MAPs in the Medical Services Provider Manual were not increased from 2003 to 2010.
- While most medical services receive a substantial increase in the 2010 Provider Manual adopted by the Commission, surgical and radiological codes receive significant decreases from the 2003 levels.

- The Medical Economic Index has increased 17.3% from 2003-2009 which has eroded reimbursement for medical services during this period. This decline has now been accelerated for surgical and radiological codes with the adoption of the new fee schedule.
- The medical office personnel expense incurred by our practices has increased approximately 20% since 2003.
- The MAPs established by the 2010 Provider Manual are some of the lowest in the nation for surgical codes as the following examples illustrate:
 - Arthroscopy: 4th worst State Workers Compensation MAP in the nation
 - Carpal tunnel: 3rd worst State Workers Compensation MAP in the nation
- Precedents are documented in other states of reduced access to specialists when surgical reimbursement is reduced
 - Hawaii: prior to 1995 ortho participation = 77%
 - Specialty fees cut in 1995; participation dropped to 33%
 - TX: 2002 ortho participation = 79%
 - Specialty fees cut in 2003; ortho participation fell to 46%
 - CA: 2002 ortho participation = 92%
 - Specialty fees cut in 2004; 2007 ortho participation = 65%
- Scientific studies document that rapid access to definitive surgical care can reduce overall
 costs to the workers compensation system as claimants are returned to work more quickly
- Survey data illustrates the inaccuracies inherent in RBRVS valuation of services that are especially acute for surgical procedures and practices in workers compensation.
 - UCLA study of comp neurosurgeons in Hawaii, WV, TX indicated their actual practice expense (PE) for comp was 295% of Medicare's estimated Practice Expense for the CPTs provided
- The calculation of the RBRVS by CMS is not purely scientific and objective. The pricing of individual codes is subject to political lobby, and the budget neutrality component requires pricing of codes only in relation to one another with little consideration of the actual practice expense involved to render the service.
- The stated focus of CMS and Healthcare Reform is to incentivize wellness, prevention and primary care; therefore, the RBRVS will continue to reflect a payment shift toward those codes. The inherent nature of Workers Compensation is the treatment of acute injury to facilitate rapid return to work. The application of the RBRVS to Workers Compensation without consideration of and adjustment for these different priorities has the unintended consequence of disincentivizing `rapid access to acute care providers, and therefore, potentially delaying return to work.
- A large majority of states already utilize multiple conversion factors in Workers Compensation to adjust for wellness focus of CMS payment methodology when applied to Comp. (Sources: Workers Compensation Research Institute The Lewin Group)

- Multiple Conversion Factors promote cost containment by allowing adjustments to specific codes without requiring increases to codes already priced appropriately.
- If used on a limited basis, Multiple Conversion Factors can be applied in a reasonable
 manner without significantly increasing costs to the system. In fact, any increase in
 medical service expense may well be offset by reduced indemnity payments as claimants'
 return to work is accelerated. The initial proposal from our association to the
 Commission for a separate conversion factor would have had a minimal impact to overall
 costs as estimated by NCCI.

We strongly believe that quality care can be enhanced while simultaneously achieving significant cost savings to the overall system by promoting rapid access to surgical services; thereby expediting delivery of definitive care and accelerating return to work. This position supports the core mission of the Workers Compensation Commission and can deliver significant savings if the appropriate resources are aligned properly. Injured workers require acute care, and compensation in the system should be designed to deliver that care in the most expeditious manner possible.

Thank you again for the opportunity to participate in the Advisory Committee, and we are committed to working with the Commission on behalf of the workers of this great state.

Sincerely,

James O'Leary, M.D.

por A. Ohum

President

South Carolina Orthopaedic Association

Fines and Assessments Aging Report Monthly Totals

8/11/2010

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Count	298											
> 91 Days	\$13,675											
Count	50											
61-90 Days	\$12,400											
Count	62											
31-60 Days	\$21,000											
Count	105											
< 30 days	\$16,200											
Count	81											
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Division Total	\$18,873											
Count	37											
> 91 Days	\$10,296											
Count	26											
61-90 Days	\$165											
Count	2											
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2007	21,620	34,891	36,520	35,339	45,785	36,760	46,555	68,018	49,261	58,934	45,203	40,261
2008	48,613	38,805	45,167	34,710	40,525	79,055	62,769	51,195	65,230	59,817	37,309	39,583
2009	37,080	44,750	35,960	49,842	93,182	65,351	100,383	119,853	100,026	66,565	61,627	54,390
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June collected figure includes payments	includes pa		5/12/2010 through 6/30/2010*	ugh 6/30/20	110***	·						

. . .

TO:

Gary M. Cannon, Executive Director

FROM:

Gregory S. Line Director of Claims

DATE:

August 4, 2010

RE:

Claims

Outstanding fine status

Below is a list of twenty seven carriers that were sent a Second and Final Notice of fines Assessment on January 4, 2010.

1. Travelers Casualty & Ins. Co.	
a. Beginning bal	\$ 13,172.66
b. Bal as of 8/4/10	\$ 1,800.00
2. State Farm First & Casualty	
a. Beginning bal	\$ 4,000.00
b. Bal as of 8/4/10	\$ 600.00
3. Valley Forge Ins. Co.	
a. Beginning bal	\$ 300.00
b. Bal as of 8/4/10	\$ 100.00
4. Sentry Select Ins. Co.	
a. Beginning bal	\$ 510.00
b. Bal as of 8/4/10	\$ 510.00
5. Sentry Insurance A Mutual Co.	
a. Beginning bal	\$ 7,025.00
b. Bal as of 8/4/10	\$ 200.00
6. American States Ins. Co.	
a. Beginning bal	\$ 1,295.00
b. Bal as of 8/4/10	\$ 895.00
7. PA Manufacturers Assn. Ins. Co.	
a. Beginning bal	\$ 800.00
b. Bal as of 8/4/10	\$ 200.00
8. Farmington Casualty Co.	•
a. Beginning bal	\$ 1,200.00
b. Bal as of 8/4/10	\$ 400.00
9. Midwest Employers Casualty Co.	
a. Beginning bal	\$ 900.00
b. Bal as of 8/4/10	\$ 700.00
10. Rollins, Inc.	
a. Beginning bal	\$ 500.00
b. Bal as of 8/4/10	\$ 500.00
11. Premier Group Ins. Co.	
a. Beginning bal	\$
b. Bal as of 8/4/10	\$ 200.00

TO:

Gary M. Cannon, Executive Director

FROM:

Gregory S. Line

DATE:

August 4, 2010

RE:

Claims

Outstanding Fines Status

Below is the status of the nine groups of carriers with 48 companies that were sent a Second and Final Notice of fines Assessment on July 24, 2009.

1. Insurance Company of North America

a. Beginning bal

\$ 28, 580

b. Bal as of 8/4/10

\$ 300

2. AIG

a. Beginning bal

\$ 56,431

b. Bal as of 8/4/10

\$ 2,800

3. Federal Insurance Company

a. Beginning bal

\$ 4,500

b. Bal as of 8/4/10

\$ 1,000

4. Liberty Mutual Group

a. Beginning bal

\$ 22,750

b. Bal as of 8/4/10

S 200

5. Travelers Property & Casualty Company

a. Beginning Bal

\$ 4,160

b. Bal as of 8/4/10

\$ 200

6.. American Casualty Co. of Rdg PA

a. Beginning Bal

\$ 5,160

b. Bal as of 8/4/10

400

7. Twin City Fire Insurance Co.

a. Beginning Bal

\$ 18,315

b. Bal as of 8/4/10

\$ 200

TO:

Gary M. Cannon, Executive

FROM:

Gregory S. Line

Director of Claims

DATE:

August 4, 2010

RE:

Claims

Outstanding Fines Status

Below is a list of nineteen carriers that were sent a Second and Final Notice of fines Assessment on October 30, 2009

1. Chubb Indemnity Ins. Co.

a. Beginning bal

\$ 2,086.33

b. Bal as of 8/4/10

\$ 1,000.00

2. Peerless Ins. Co.

a. Beginning bal

\$3,900.00

b. Bal as of 8/4/10

\$ 200.00

3. OneBeacon Ins. Co.

a. Beginning bal

\$3,000.00

b. Bal as of 8/4/10

900.00

The dollar amount of fines assessed for each form, for the month of June, and fines collected for each form from July $1-July\ 31$

The number of fines assessed and collected, for each form, are in parenthesis.

	Assessed	Collected
Form 12A -	\$ 30,600.00 (153)	\$ 6,700.00 (39)
Form 15 Section I -	\$ 11,000.00 (53)	\$ 11,700.00 (51)
Form 15 Section II -	\$ 3,600.00 (18)	\$ 2,600.00 (13)
Form 15 S -	\$ 2,000.00 (10)	\$ 1,800.00 (9)
Form 17 -	\$ 1,400.00 (7)	\$ 1,900.00 (9)
Form 18 -	\$ 188,000.00 (904)	\$ 113,500.00 (561)
Form 19 -	\$ 250.00 (5)	\$ 525.00 (11)
Denial letter -	\$ 2,800.00 (14)	\$ 2,300.00 (12)
Failure to respond -	6,200.00 (31)	\$ 4,800.00 (26)
Failure to pay Orig fine	0	\$ 200.00 (2)
Form 20	0	\$ 700.00 (6)
Form 51	0	\$ 300.00 (3)
•		
TOTAL -	\$ 245,850 (1,195)	\$ 147,025 (742)

Fine Report for February, I	March, Apri	il, May, June ai	nd July 2010
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				. 1			
•	Fine Report for Febr	ruary, Marc	h, April, M			_	
		Feb	March	April	May	June	July
	Total Amt assessed	\$ 359,450	\$ 335,71	0 \$352,300	\$250,400	175,950	\$245,850
	Total # fines assess	1,750	1,658	1,669	1,246	842	1,195
	Total amt collected	\$ 103,800	\$ 203,410	\$ 159,375	\$218,150	\$86,500	\$147,025
	Total fines collected	d 513	1,045 Form 18	749	1,081	407	742
			LOIM 10				
	Amt fines assess daily	\$339,200	\$308,400	\$284,500	\$206,400	\$131,4200	\$179,400
÷	Amt fines assessed file review	\$ 5,200	\$ 4,400	\$24,400	\$ 9,600	\$13,800	\$8,600
	Total amount Assessed	\$344,400	\$304 <u>,000</u>	\$308,900	\$216,000	\$145,200	\$188,000
	# fines assess daily	1,667	1,518	1,412	1,053	772	896
	# fines assess file review	8	6	31	16	70	8
	Total fines assessed	d 1,675	1,524	1443	1,069	842	904
	Amt collected	\$ 80,200	S 176,100	\$ 141,050	\$185,900	\$145,200	\$113,500
	# fines collected	364	841	644	894	686	561
	(Form 12-A, Form	. 15 Farms	All other fi	nes assessed	l Her, Form (20. failure t	o respond)
						\$30,750	
	Total amt assessed	\$ 15,050	\$ 27,310	\$ 43,400	\$33,000	•	
	# fines assessed	75	135	226	177	156	291
	Total amt paid	\$ 23,600	\$ 27,310	\$ 18,325	\$32,250	\$15,000	
	# fines collected Figures collected Figures collected	149 for May ar for June ar	204 re through re from Jui	105 June 11 ne 12 throu	187 gh June 30	84	181
				.*			•

TO: Gary M. Cannon, Executive Director

FROM: Al McCutcheon

DATE: August 6, 2010

RE: Outstanding Fines Status

The following is the requested status of outstanding fines in the Compliance and Coverage Divisions of the Insurance and Medical Services Department:

Compliance

There are two categories for Compliance fines: cases with underlying claims; and cases without underlying claims. Cases with underlying claims are those cases in which a claim has been filed but there is no record of the employer having coverage. Cases with no underlying claims are the cases where employers are discovered to have no coverage through the search of the Employment Security Commission records or a random coverage check.

The procedure for collection of fines is as follows:

1. Employers suspected of not having insurance are sent a letter requesting verification they have coverage and are given 14 days to respond. Failure to respond and to immediately acquire insurance will result in fines being assessed at \$1.00 per day for each employee, a minimum of \$10.00 per day and a maximum of \$100.00 per day.

Fourteen violation letters were issued during the month of July.

2. For cases without an underlying claim, if the employer immediately comes into compliance after the initial notification, the assessed fine is \$750 for 10 or less employees and \$1,000 for 11-20 employees.

Six compliance agreements were received during the month of July.

3. If there is no response and we can prove the employer is subject to the Workers' Compensation Act, the Compliance Division subpoenas the employer to an Order and Rule to Show Cause hearing. These hearings are scheduled every 30 days.

Ten subpoenas were issued in July. The next Order and Rule to Show Cause hearing is scheduled for August 26, 2010.

4. Along with the subpoena, the employer is provided a letter offering the opportunity to settle in lieu of attending the hearing. However, if the employer does not settle, and the employer is found to be subject to the Act at the hearing, an order is issued finding the employer in violation of the Act. In most instances, the order stipulates maximum fines and penalties. Orders are issued within 30 days after the hearing.

Seven orders resulting from the June 30, 2010 Order and Rule to Show Cause hearing were published in July.

5. If there is no response to the order, a civil judgment is filed within 45 days.

No civil judgments were filed during the month of July.

6. Further contact with the employer (telephone and letter) is attempted by the Director of Compliance. If the employer remains willfully uninsured, the Director of Compliance files a criminal complaint with the jurisdictional magistrate. This new procedure for the Department has yet to be finalized with legal counsel.

Coverage

There are three types of fines assessed on carriers by the Coverage Division:

- A. Late filing for policies not received within 30 days of the policies' effective date.
- B. Failure of the carrier to provide a FEIN on the policy.
- C. 12M Minor Medical Fines

In January - March 2010, approximately 200 carriers were sent a final notice on fines over 90 days old. Carriers were advised that failure to pay outstanding fines would result in a subpoena being issued requiring attendance at an Order and Rule to Show Cause Hearing. Initially, these carriers owed \$207,375 in fines over 90 days old. This total has been reduced to \$39,667.66 as of August 6, 2010.

TO: Commissioners

FROM: Gary M. Cannon

DATE: August 13, 2010

RE: Hearing Cost Assessments

R 67-614 authorizes the Commission to issue an order assessing the actual cost of a hearing as established by the Commission for hearings that have been brought, prosecuted or defended on unreasonable grounds.

The current hearing cost assessment is \$634.20 established by the Commission on April 22, 2009.

Attached is a spreadsheet reflecting the hearing cost calculations for the current cost and the calculations for the amount recommended for FY 2010-11.

The cost allocation method for calculating the hearing cost for FY 2010-11 more accurately reflects the cost associated with processing a claim for a hearing.

Recommendation: Approve the hearing cost assessment under regulation R 67-614 for FY 2010-11 cases docketed but not heard at \$202.81 and for cases heard \$1,014.86. The effective date of the new assessment is upon approval by the Commission.

Hearing Cost Comparison FY 2008 FY 2010

		Total Hearing			% of Cost for		
Salaries	FY 2007-08	Cost	To	tal Expenses	Hearings	Tota	l Hearing Cost
Commissioners	\$ 733,866	.00	\$	780,169.00	95%	\$	741,160.55
Comm. Classified Staff	\$ 271,121	.00	\$	290,075.00	95%	\$	275,571.25
Judical Staff	\$ 229,471	.00_	\$	380,705.00	98%	\$	373,090.90
Total	\$ 1,234,458	.00	\$	1,450,949.00		\$	1,389,822.70
Travel							
Commissioners	\$ 49,490	.00	\$	111,845.34	95%	\$	106,253.07
Legal Services (Court							
	\$ 194,088	.00	\$	167,204.75	100%	\$	167,204.75
Total	\$ 243,578	.00	\$	279,050.09		\$	273,457.82
Other Operating Costs - Commission							
DP Service			\$	32,365.14	95%	******	30,746.88
DP Service			*	02,000			
Express Delivery (UPS, Fedex)			\$	208.32	95%	\$	197.90
Telephones	\$ 6,937	.50	\$	4,884.89	95%	\$	4,640.65
Cell Phones			\$, 10,751.34	95%	\$	10,213.77
Attorney Fees			\$	1,837.40	95%	\$	1,745.53
Other Professional Services			•	707.40	95%	\$	691.03
(D&B)			\$	727.40	95% 95%	\$	7,303.86
Office Supplies			\$	7,688.27	95%	\$	2,812.58
Copying Supplies			\$	2,960.61	95% 95%	\$	1,291.09
Printing			\$	1,359.04			
Postage	\$ 16,724	.50	\$	18,294.78	95%	\$ #	17,380.04 4,656.90
Copier Rent			\$	4,902.00	95%	\$	•
Building Rent	\$ 97,193	.25	\$	149,130.06	95%	\$ \$	141,673.56 43,517.17
Leased Cars			\$	45,807.55	95%	<u> </u>	266,870.96
Total	\$ 120,85	.25	\$	280,916.80		Ψ	200,010.30
Other Operating Costs -							
<u>Judical</u>							04.050.00
DP Service			\$	22,304.90	98%	\$	21,858.80
Express Delivery (UPS, Fedex)			\$	30.12	98%	\$	29.52
Telephones	\$ 6,93	50	\$	2,603.58	98%	\$	2,551.51
Cell Phones	Ψ 0,00	.00	\$	1,211.25	98%	\$	1,187.03
Office Supplies			\$	4,489.12	98%	\$	4,399.34
Copying Supplies			\$	2,282.19	98%	\$	2,236.55
Printing			\$	1,779.39	98%	\$	1,743.80
Postage	\$ 15,72	L 50	\$	10,709.87	98%	\$	10,495.67
Copier Rent	ψ 10,12		\$	825.42	98%	\$	808.91
Building Rent	\$ 18,90) (n)	\$	62,623.74	98%	\$	61,371.27
Total			\$	108,859.58		\$	106,682.39
			\$	2,119,775.47		\$	2,036,833.87
Total Expenses	\$ 1,040,40	J.20		2,110,110.11			
Total Hearings Docketed	10,473			10,043			
Total PER CASE DOCKETED	-						
HEARINGS		\$ 156.72	_			\$	202.81
Total Hearings Conduted	2,588		_	2,007			-
TOTAL HEARING COST		\$ 634.20				\$	1,014.86

TO: Commissioners

FROM: Gary M. Cannon

DATE: August 13, 2010

RE: Hearing Venue – Department of Corrections

Mr. Russell Rush, Director of the Occupational Safety and Workers' Compensation Division for the SC Department of Corrections, will attend the monthly Business Meeting on August 16, 2010 to discuss the procedures for conducting hearings for individuals in the custody of the SC Department of Corrections who have filed claims under the Workers' Compensation Act.

TO: Workers' Compensation Commissioners

FROM: Gary M. Cannon

DATE: August 10, 2010

RE: Ethics Training

The Commissioners and their administrative assistants are required to attend a workshop of at least three continuing education hours concerning ethics and the Administrative Procedures Act (§42-3-250 (B)).

In 2009 the workshop was held on November 17th (Tuesday).

In order to coordinate your schedules and arrange for the workshop presenters, I respectfully request the Commissioners establish a date for this year's workshop.